

**MINUTES OF THE COMMON COUNCIL
IN SPECIAL SESSION
July 16, 2013**

A special session of the Winchester Common Council was held on Tuesday, July 16, 2013 in the Council Chambers, Rouss City Hall. President John Willingham called the meeting to order at 7:15p.m.

PRESENT: Councilor Jeff Buettner, Evan Clark, John Hill and John Tagnesi; Mayor Elizabeth Minor; Vice-Mayor Les Veach; President John Willingham (7)
ABSENT: Vice-President Milt McInturff; Councilor Ben Weber (2)

2.0 PUBLIC HEARING

2.1 O-2013-20: Second Reading – AN ORDINANCE TO AMEND AND RE-ENACT SECTION 26-33 OF THE WINCHESTER CITY CODE PERTAINING TO SPECIAL PROVISIONS RELATING TO LOUDOUN STREET MALL

Christine Patrick, owner of the Winchester Book Gallery at 185 North Loudoun Street, stated she was not going to speak but she believes the change in time limits the number of hours that the delivery trucks have to make the deliveries. There are over 70 businesses that take deliveries at least 5 days a week and making it 7:30 a.m. – 10:30 a.m. does not give them enough time to make that happen. She does not believe getting it from the loading zone has been as effective or as efficient. The conversation with UPS was directly that they would move all deliveries to the evening if they could not get it done by 11:00 a.m. as Council has heard from several businesses. She would prefer Council keep the time at 6:00 a.m. – 11:00 a.m. as the ordinance states now.

No further citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 7:16 p.m.

Councilor Buettner stated he just supported the move to 10:30 but would do 11:00. He thinks with trying to get more residents living on the mall, 6:00 is too early. There would be a lot of noise and a lot of commotion. We want people to have a quality of life there. He is not sure who is delivering at 6:00 when a lot of businesses are not opening until 10:00. There are alternate methods for delivery but he does not want to create a situation where businesses are not getting the merchandise they need.

Councilor Buettner moved to change the time to 7:30 a.m. to 11:00 a.m. stating he thinks 6:00 a.m. is too early with the residential component. The motion was seconded by Councilor Hill.

Mayor Minor stated she heard the merchants say the last time that 11:00 a.m. would be fine. She had a couple of telephone calls from other merchants that said 11:00 would be fine but they could not get their deliveries by 10:30 with UPS coming from Front Royal. She will certainly vote for 11:00.

Councilor Clark stated this will probably need to be an ongoing discussion with the merchants and those who live downtown. Council needs to be flexible and make sure that the people who live and work downtown have ordinances which help them to run their businesses and live their harmonious way. He will support the previous amendment.

President Willingham stated he is not going to support the amendment. His office is downtown and he walks downtown a lot but he does not have deliveries. Council started out having no deliveries vehicles and has made progression to make compromises. Downtown is migrating to a place where people are living and working and shopping. It may be splitting hairs at 10:30 but the lunch crowds are starting to come in earlier and 10:30 seemed to be a good compromise to him. With the number of people on the mall at 10:30, he thinks it would be tough for the delivery trucks to be on the mall. There are so many loading zones that he does not agree that it is going to put such a burden on them. This is what they do. UPS and FedEx are delivery companies. They are vendors for the people who buy goods from them. It would be something if the city did not have delivery or loading zones throughout that are very arterial to where these folks are located. He thinks some of the pedestrian friendly things the City is trying to do as a walking space will be defeated.

Councilor Buettner's motion was defeated 3 / 4 with President Willingham and Councilors Clark, Hill and Tagnesi voting in the negative.

Councilor Veach stated he likes the idea of coming back to get the feedback from the merchants and the Old Town Development Board.

Councilor Buettner moved to adopt O-2013-20. *The motion was seconded by Vice-Mayor Veach then adopted by the affirmative roll-call vote of a majority of all members of the Common Council, the ayes and nays being recorded as shown below:*

<u>MEMBER</u>	<u>VOTE</u>
Councilor Buettner	Aye
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President McInturff	Absent
Mayor Minor	Aye
Councilor Tagnesi	Aye
Vice-Mayor Veach	Aye
Councilor Weber	Absent
President Willingham	Aye

3.0 ADJOURNMENT

Mayor Minor moved to adjourn the meeting at 7:22 p.m. *The motion was seconded by Councilor Clark then approved 7/0.*

Kari J. Van Diest, CMC
Deputy Clerk of the Common Council